

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,**

Plaintiff,

v.

No. CIV 09-953 WJ/ACT

**SONIC DRIVE-IN OF LOS LUNAS LTD. And
B&B CONSULTANTS INC.,**

Defendants.

ORDER ON DEFENDANTS' COMBINED MOTION FOR SANCTIONS

THIS MATTER comes before the Court the Defendants' Combined Motion for Sanctions and Memorandum of Law in Support. [Doc. 32.] The Court having reviewed the Defendants' Motion, Plaintiff's Response [Doc. 40], as well as the Honorable William Johnson's Memorandum Opinion and Order Granting in Part Defendants' Amended Combined Motion for Partial Summary Judgment [Doc. 44], orders as follows.

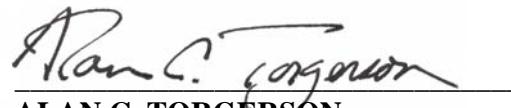
IT IS ORDERED that Defendants' Combined Motion for Sanctions and Memorandum of Law in Support [Doc. 32] be GRANTED IN PART. Specifically, the Court adopts Judge Johnson's Memorandum Opinion and Order Granting in Part Defendants' Amended Combined Motion for Partial Summary Judgment which requires

. . . the EEOC to engage in a court-supervised mediation with Defendants, after the EEOC provides Defendant with all evidence in the EEOC's possession or control supporting its request for compensatory damages as to each remaining class member [and. . . denies] Defendants' request that the EEOC arrange for all remaining class members represented by the EEOC to be present for the mediation . . . [and denies] Defendants request to limit the EEOC to claims on behalf of individuals who were identified during conciliation.

[Doc. 44 at p. 15.] The Court will schedule a Rule 16 Settlement Conference by a separate order.

The Court denies the Defendants request for fees and costs.

IT IS SO ORDERED.



ALAN C. TORGERSON
United States Magistrate Judge